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Human Rights and Anti-Discrimination Bill 2012 EXPOSURE DRAFT LEGISLATION

RESPECT • PROTECT • FULFIL

Human Rights and Anti-Discrimination Bill 2012 No. 2012

(Attorney-General)

A Bill for an Act relating to human rights and discrimination, and for related purposes

At the same time as New South Wales imposes compulsory Holocaust-Shoah education, a national move is under way to tighten the existing Racial Discrimination Act and by stealth turn it into a Human Rights Act. Fredrick Töben makes a submission and receives a receipt:

Exposure Draft of Human Rights and Anti-Discrimination Bill 2012

- *Information about the Inquiry
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- *Upload Submission Online
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- *Exposure Draft Legislation
- *Explanatory Notes

For further information, contact:

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Senate Legal and Constitutional Affairs Committee

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Senate Committees

Exposure Draft of Human Rights and Anti-Discrimination Bill 2012 Information about the Inquiry

On 21 November 2012 the Senate referred the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012 for inquiry and report.

The Bill seeks to consolidate the existing Commonwealth anti-discrimination legislation - the Age Discrimination Act 2004, the Disability Discrimination Act 1992, the Racial Discrimination Act 1975, the Sex Discrimination Act 1984 and the Australian Human Rights

Commission Act 1986 - into a single Act.

The Bill does not propose significant changes to existing laws or protections but is intended to simplify and clarify the existing anti-discrimination legislative framework. The major reforms proposed in the Bill include:

*a single, simplified test for discrimination;

the Sex Discrimination Act 1984 *introduction of additional protected and the Australian Human Rights *attributes, including protections

against sexual orientation and gender identity discrimination and extension of protections against relationship discrimination to samesex couples in any area of public life; and recognition of discrimination on the basis of a combination of attributes;

*coverage of discrimination and sexual harassment in any area of public life;

*a streamlined approach to exceptions;

*additional measures to assist and promote voluntary compliance with the Bill;

*improvements to the complaints process; and

*rationalisation of some functions of the Australian Human Rights Commission.

Submissions should be received by **21 December 2012**. The reporting date is **18 February 2013**.

Further information about the exposure draft and the government's consultation process, which informed the development of the draft legislation, is available on the Attorney-General's Department's website at the following link:

www.ag.gov.au/antidiscrimination

The Committee is seeking written submissions from interested individuals and organisations preferably in electronic form submitted online or sent by email to legcon.sen@aph.gov.au as an attached Adobe PDF or MS Word format document. The email must include full postal address and contact details.

Alternatively, written submissions may be sent to:

Committee Secretary

Senate Legal and Constitutional Affairs Committee

PO Box 6100

Parliament House

Canberra ACT 2600

Australia

Notes to help you prepare your submission are available from the website at

http://www.aph.gov.au/senate/com mittee/wit_sub/index.htm.

Alternatively, the Committee Secretariat will be able to help you with your inquiries and can be contacted on telephone +61 2 6277 3560 or facsimile +61 2 6277 5794 or by email to

legcon.sen@aph.gov.au.

Inquiries from hearing and speech impaired people should be directed to Parliament House TTY number 02 6277 7799. Adobe also provides tools at http://access.adobe.com/ for the blind and visually impaired to access PDF documents. If you require any special arrangements to

enable you to participate in the Committee's inquiry, please contact the Committee Secretariat.

Once the Committee accepts your submission, it becomes confidential Committee document and is protected by Parliamentary Privilege. You must **not** release submission without Committee's permission. If you do, it will not be protected by Parliamentary Privilege. At some stage during the inquiry, the Committee normally makes submissions public and places them on its website. Please indicate if you want your submission to be kept confidential.

For further information, contact:

Committee Secretary

Email: legcon.sen@aph.gov.au

http://www.aph.gov.au/Parliament ary Business/Committees/Senate Committees?url=legcon_ctte/anti_d iscrimination_2012/info.htm

From: Dr Fredrick Töben Adelaide toben@toben.biz

SUBMISSION to the Parliamentary Enquiry into the EXPOSURE DRAFT of the HUMAN RIGHTS and ANTI- DISCRIMINATION BILL 2012 16 December 2012

1. Introduction

The philosophical underpinnings of any discrimination ideology need to be illuminated and clarified, which is lacking in the DRAFT. For example, any thinking person discriminates because the act of thinking is itself a discriminatory act, which indirectly is acknowledged by the much-used concept of 'choice', i.e. giving individuals choices when acting upon a matter.

Thinking is thus a critical activity that clarifies basic human values wherein the universal 'battle-of-the-wills' is resolved, hopefully, in a civilised way.

The criteria that are legally protected from criticism – race, religion, sex, disability, et al,

encompass fundamental human values. Any legal sanction that prevents an open discussion on any fundamental human matter on grounds that such a discussion is discriminatory has the potential to turn the discrimination ideology into a blunt political instrument. For example, if the DRAFT advocates criminal sanctions, then a public debate on some political issue such as objections to Israeli fruit imports to Australia can lead to a criminal conviction. An aggrieved person who develops \hurt feelings' because another person objects to such imports and expresses such objection in strong language, will receive legal protection under the DRAFT. The protester, however, has no defence against the accusation that his protest is 'offensive and insulting'.

The very political nature of such public protest acts will inevitably behind-the-scene machinations that flow into any subsequent legal action contained in the DRAFT. This is because a Complainant need not prove the quantum of hurt by any objective means, for example by submitting a medical certificate The fact that anything can be deemed to be offensive - from the verbal to the non-verbal glance, to the outright physical attack - is an accepted fact, and which a victim mentality mindset is able to exploit. It is interestina that а successful discrimination act will in most instances be resolved through

monetary compensation. This means that a psychological state is assessed and comforted materialistically, which is problematic.

2. A 17-year legal battle – a practical example of injustice emerging from an application of the RDA - DRAFT

The fact that since 1996 I have been legally persecuted under the RDA, especially its notorious Section 18c - "reasonably likely to offend, insult..." is reason enough for me to submit a brief informative narrative of my long battle for your consideration. It is important for lawmakers, such as our political representatives, to know about and be aware of the practical effects such unjust laws have individuals whose behaviour is based on sound principles and lofty ideals. I say this as a teacher who has lived by his cherished belief that the most precious gift with which we can imbue our next generation is the ability to discern truth from lies and deception.

For 17 years Mr Jeremy Sean Jones, Executive Council Australian Jewry, pursued me first before HREOC, then in the Federal Court of Australia.

HREOC's attempt to be a mediator in our differences of opinion on matters 'Holocaust-Shoah' failed because the complainant Jones could not be forced to attend a conciliation meeting, and he refused to even indicate he had an interest in doing so.

When the matter proceeded to the FCA it was clear that Jones' intention was not to settle the dispute amicably but to have a court ruling that placed a gag on open discussion about matters 'Holocaust-Shoah'.

He claimed that the material we published on Adelaide Institute's website was causing not only him great hurt and anxiety but also all the 'Holocaust' survivors and their descendants living in Australia, yet neither Commissioner McEvoy nor Justice Branson ever asked Jones to

submit a medical certificate that proved his mental state was being affected by what we had published. In effect it was his word against mine.

Also, my contention before the Commissioner and in the FCA was that the RDA legislation under which we were appearing was flawed because fundamentally TRUTH was not a defence, and 'hurt of particular feelings' only complainants, such those as claiming to represent Jewish interests, were protected. The recent Andrew Bolt case that cost the Herald and Weekly Times over a million dollars to defend publicly clarified this legal injustice.

To counter the Jones attack I submitted a complaint to HREOC wherein I stated that anyone who canvassed matters 'Holocaust-Shoah', in particular stating that during World War Two Germans systematically exterminated homicidal gas chambers, especially at Auschwitz detention centre, European Jewry, then as a Germanborn Australian I take it as my right to ask the question: 'Was my father a mass murderer, were the German people responsible for the death of six million Jews?'

I also stated that I am deeply hurt and offended when I hear this kind of war-time propaganda, and so I ask questions and I conduct research into the allegation. My research trips in 1997 and 1999 resulted in my claiming that I consider the 'Holocaust-Shoah' to be a massive historical lie because technically/physically Germans could not have done what is claimed they did.

Instead of discussing the contentious matters objectively all I received from Jones and the media was defaming abuse. The words that are designed to stifle debate on this contentious historical issue are: HATER, HOLOCAUST DENIER, ANTISEMITE, RACIST, NAZI.

3. Dangers within the RDA – modelled on Germany's Section 130

In this context it must be remembered that when the Soviet Union was established in 1917 two words were criminalised: ANTISEMITE and REVISIONIST, and anyone labelled by the former word was shot while the latter attracted banishment to the GuLags.

Through this current legislation we are again, by stealth and highminded rhetoric that claims to protect a person's well-being, moving into the Soviet-era style of legislation where uppermost Jewish interests are protected. This focus self-interest minority's disregards the mental well-being of the majority in whose interest it is not to be living on a state-enforced ideological lie.

There are legal practitioners who consider my views 'abhorrent' and when they conduct a case in the FCA, they make it clear to the judges they are towing the official line on matters 'Holocaust-Shoah', i.e. so they cannot be labelled 'Holocaust denier', 'antisemite', or horrors-above-horrors a 'racist'.

This stifling public/social effect means that the RDA is modelled on the notorious German Penal Code's Section 130 that criminalises 'defaming the memory of the dead'. This has the effect that any matter concerning the factual details of World War Two are off-limits in any public discussion. In other words, a section of history has been mythologised and is set in legal concrete.

If something is offensive, then we have defamation laws that can be used to seek redress but this RDA legislation is a watered-down version of defamation law. There is also the political agenda marked by the Talmudic-Marxist class dialectic of win-lose. This perverse dialectic is driving a social agenda that will, as in the Soviet Union's case, ultimately self-destruct. But in the meantime millions of individuals injustices suffered as vested interests, such as the Jewish-Zionist lobby, push their personal agenda

along at the expense of mainstream Australian society.

4. No Legal Aid – leading to bankruptcy

At the basic matters-of-fact stages the issues before the court are fleshed out, but in my case I could not afford legal representation and both Commonwealth and State Legal Aid Services refused to assist. This meant I had to do all the legal matter myself - but my academic training has been in literature and philosophy where sound moral principles and ideals are my guide. I developed the maxim: 'Do I tell the truth or do I obey the law? The Talmudists-Marxists will state: 'Obey the law' while I use the Hegelian dialectic and state: 'Do both'.

However, if a law is wrong and unjust, then it is my duty to navigate gently through injustice so that I can still obey the law and tell the truth. That is what most concerned citizens do, and only in extreme cases would anyone directly challenge unjust laws. Unfortunately the Canberra lawmakers are aware of this and so the legislation is subtly formulated to reflect the sincere concerns of those who do need social protection for whatever reason. Fortunately British Common Law still has basic safeguards that rest on tried legal principles such as Natural Justice, which I certainly did not receive.

It was only at the matters-of-law stage that I gained pro-bono representation, but then it was already too late. In this respect Australia is also following the Canadian model in persecuting 'Holocaust-Shoah' matters under the false 'racist' concept. In fact, the RDA is primarily designed to catch and to protect the official 'Holocaust-Shoah' narrative, which is Israel's primary propaganda weapon that justifies its ethnic cleansing of Palestine.

In my case the judges involved in my matter were not Jewish but they bent to Jewish pressure, which enables me to state they became morally and intellectually bankrupt.

The consequences of my long legal battle led to its final conclusion when on 24 September 2012 I was declared a bankrupt. In November 2010 Jones had asked for \$56 000 court costs and I offered him about \$30 000, which he rejected. The law firm negotiating the settlement stated that Jones doesn't want the money but seeks my bankruptcy, lawyer Steven confirmed in July 2010 when he, as hopeful Labor Party candidate for Wentworth, addressed a political meeting of the NSW Jewish Board of Deputies and claimed for the past four years he had done good service to the Jewish community by sending Töben to prison for contempt and 'we're about to bankrupt him'.

I sold my home of 17 years to raise the necessary money. Then this year another court cost claim was made for \$175 000, and that I could not pay and so I was declared bankrupt for three years.

The list of orders against me is a long one:

Federal Court of Australia Judgments against Töben

1. Jones v Toben [2000] HREOCA 39 (5 October 2000) Human Rights and Equal

Opportunity Commission; 5 October 2000;

2. Toben v Jones [2002] FCAFC 158 (21 May 2002) Federal Court of Australia - Full Court; 21 May 2002;

3. Jones v Toben (includes explanatory memorandum)
[2002] FCA 1150 (17
September 2002) Federal Court of Australia; 17 September 2002;

4. Toben v Jones [2003] FCAFC 137 (27 June 2003) Federal Court of Australia - Full Court; 27 June 2003;

5. Jones v Toben (Corrigendum dated 20 April 2009) [2009] FCA 354 (16 April 2009) Federal Court of Australia; 16 April 2009;

6. Toben v Jones [2009] FCA 585 (2 June 2009) Federal Court of Australia; 2 June 2009; **7. Toben v Jones (No 2) [2009] FCA 807 (30 July 2009)**<u>Federal Court of Australia;</u> 30 July 2009;

8. Jones v Toben (No 2) [2009] FCA 477 (13 May 2009) Federal Court of Australia; 13 May 2009;

9. Toben v Jones [2009] FCAFC 104 (13 August 2009) Federal Court of Australia - Full Court; 13 August 2009;

10. Toben v Jones (No 3)
[2011] FCA 767 (8 July 2011)
Federal Court of Australia; 8 July
2011;

11. Toben v Jones [2012] FCA 444 (3 May 2012) Federal Court of Australia; 3 May 2012;

12. Toben v Jones [2012] FCA **1193 (31 October 2012)** Federal Court of Australia; 31 October 2012:

5. Free Expression in danger

The most precious value we have within our democratic framework is free expression because without it our thinking processes are stifled and suppressed – often through fear of legal consequences. If dissenting voices are silenced, then a society loses the value/quality of trust and personal relationships fall apart.

This phenomenon I witnessed at first hand while travelling through the Soviet Union during the early 1970s. The country, as its Eastern European dependencies, lacked 'soul'. There was security control everywhere - much of what we now see happening in Australia as government agencies barricade themselves from public intercourse under the pretext of security concerns.

Likewise at universities the situation is of some paranoia flowing into expressed administrative concerns. One of the prime reasons is that educational courses on matters 'Holocaust-Shoah' at school and university level do not permit dissenting voices to express unorthodox or speculative viewpoints. Lecturers threaten students who ask probing questions with: 'Your question borders on the offensive.'

Such anti-intellectual stance is not conducive to our students' moral and intellectual development and the HR&ADB 2012 does nothing to safeguard an individual's free expression, which is the hallmark of our Australian democracy.

In fact, even in the USA where the First Amendment has been securing free expression for all Americans, it has come under attack by notorious Zionist, Professor Alan Dershowitz, who has split free expression into: 'free speech' and 'hate speech'. Anything offensive to Jewish interests is considered to be a 'hate crime', as is matters 'Holocaust-Shoah'.

This trend is now manifesting itself in Australia, and the HUMAN RIGHTS and ANTI-**DISCRIMINATION BILL** will give legal force to the word 'hater', and also to the word 'denier' as we have witnessed in the Climate Change debates. When individuals run out of arguments and their overarching narrative does not accord with the physical facts - thereby creating an ideology such as we witnessed in the Soviet Union and its Marxism-Socialism - then the word 'denier', for example will be used to silence any opposition, which for example claims strict objective scientific criteria can never produce an 'absolute' result. Science is not absolute and there is always a margin of error involved in any research results.

When some public figure claims, for example, 'the science is in, it's beyond debate', then that is someone trying to sell a product. It may be politically expedient to talk like that but a scientist knows all results are subject to a margin of error and to revision as soon as new information comes to hand – which is inevitable. The quip is still current: 'There are liars, bloody liars, and statisticians', and one may add to that – 'and politicians'.

6. Publishing and Internet Censorship

As regards DRAFT Division 5 Clause 53 'Publishing etc. material indicating intention to engage in unlawful conduct' is a subtle but vicious way of stifling debate. In

2002 Mrs Olga Scully was found guilty in the FCA for publishing and distributing material that clarified matters about her Russian background and how significant Jewish influence was in setting up the Soviet Union government. Justice Heley rejected her defence that she was acting and doing things 'reasonably and in good faith, to publish or display material'. The proposed legislation continue to be used by those who oppose and suppress a public airing of historical matters involving Jewish interests. I always wonder what these suppressors of public debate have to fear! Truth is a powerful weapon but in the case where the RDA operates and the proposed modifications come into effect, truth will not be a protective shield from legal persecution because the sword formed by the words hater, Holocaust denier, antisemite, racist, Nazi, will continue to slay free expression, and that mercilessly.

The current public discussion about Israel's treatment of the Palestinians, and the 29 November 2012 UNGA vote granting the Palestinian Authority observer status, is a prime example where these usual words are used to stifle an open debate on this contentious public interest topic.

I have endured such verbal abuse for almost two decades now and I have had no recourse publicly to counter those who engage in such abuse because the print and electronic media outlets ride on the same platform. The Internet has given me the opportunity to freely express my views – though this did not protect me from being incarcerated three times in three different countries – Germany, England, and Australia.

Although the FCA found me in contempt of court the Australian regulatory authority gave our websites an 'M' rating, which again upset Jeremy Sean Jones. We do not deal with pornography nor do we incite hatred.

However, as stated above, under DRAFT point-of-view any expressed that challenges an official narrative can be regarded to be in breach of the Act. For example, before the hypothesis HIV=AIDS had been legally anchored in legal and thus concrete globally protected, the dissenting voices who dared state that the hypothesis needs to be 're-evaluated' were drowned out and sidelined by powerful interest groups. Dr Peter Duesberg and Elenie Papadopolous-Eliopolous have been waiting since 1984 of for upholders HIV=AIDS hypothesis to show HIV in isolation. Their claim that other factors are causing AIDS, especially life-style issues, and this unacceptable and offensive to those who have embraced the orthodoxy HIV=AIDS. Dissenting voices were vilified as 'AIDS deniers' - end of discussion.

7. Innocent until Proven Guilty

The fact that Clause 124 throws overboard a basic British Common Law principle is enough reason to designate this attempt at legislating alleged social protection for the vulnerable as a devious attempt to change Australia's basic legal tradition and enforce an unacceptable societal mix.

If Complainants do not have to prove their case anymore, then the ugly trend already seeping through the legal back door will become a flood – individuals spending time in prison without being charged.

This is making retroactive law enforcing child's play - but the health of our society will suffer, as it already is by having laws that are filling our gaols to the brim on account οf social support mechanisms breaking down because we are celebrating hedonistic materialism to the full.

As indicated above, overseas precedents of discrimination have been followed in matters 'Holocaust-Shoah' to successfully muzzle open enquiry and thereby protect one view of this historical narrative. We don't need this kind

of historical censorship because our society is mature and tolerant enough to embrace the overarching moral principles embodied in truth-telling. Without this quality/value our society loses the element of trust, which then rots relationships and draconian controls need to be applied. The DRAFT suggests that the value of 'trust' is already eroded and hence the need to implement the DRAFT!

8. Conclusion

This is in the form of three questions to the lawmakers:

- 1. Will the dictatorial implications contained and activated in the DRAFT be limited in legal proceedings by an application of basic concepts such as Truth and Justice?
- 2. Will the proposed new Human Rights Act accord me the human

right to question certain aspects of history without being labelled and defamed as a 'hater', 'Holocaust denier', 'antisemite', 'racist', 'Nazi'?

3. Will Legal Aid be available to those brought before the courts so that a competent legal defence can be mounted at the matters-of-fact stage of proceedings?

From: Senate IT web.senate@aph.gov.au
Sent: Tuesday, 18 December 2012 2:26 PM

To: toben@toben.biz

Subject: Committee Inquiry Online Submissions -

Submission Confirmation

Committee Inquiry Online Submissions – Submission Confirmation

Thank you for your submission to the Exposure Draft of Human Rights and Anti-Discrimination Bill 2012 The following document has reached our Committee office and is awaiting Committee consideration: dr fredrick töben

submissiondraft16december2012.pdf

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Please contact the Committee secretariat if you have any query about this matter, or if you have any objection to your submission being published on the internet.

Committee Secretary: Senate Legal and Constitutional Affairs Committee PO Box 6100 Parliament House, Canberra ACT 2600 Australia

Email: legcon.sen@aph.gov.au

Senate Committees

Exposure Draft of Human Rights and Anti-Discrimination Bill 2012 Submissions received by the Committee

Sub No.

		i		i	
1	Mr Paul Hobson <u>(PDF</u> <u>129KB)</u> Attachment 1 <u>(PDF</u>	10	Dr Arthur Hartwig (PDF 84KB)	19	Dr Mansel Rogerson (PDF 91KB)
	<u>203KB)</u>	11	Mr Chris Hamill (PDF 74KB)	20	Ms Tina Vartis (PDF 52KB)
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4	Chan (PDF 184KB)	13	Churches (PDF 253KB)	23	Wauchope Presbyterian
5	Name Withheld (PDF 103KB)	14	Jodine (PDF 184KB)		Church (PDF 125KB)
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7	Mr Tristan Pyke (PDF 41KB)	16	Canon Dr David Claydon (PDF 348KB)		268KB) Attachment 2(PDF 109KB)
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9	Australian Human Rights Commission (PDF 332KB)	18	Michael and Denise Corbin and Penelope Butler (PDF 205KB)	26	Working Women's Centre South Australia (PDF 84KB)

27	Australian Family Association	50	Name Withheld (PDF 40KB)	74	Ms Nastasha Park <u>(PDF 89KB)</u>
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20	Service (PDF 295KB)	52	Confidential	76	Ms Ruth Zanetti (PDF 92KB)
29 30	Mr Dirk Jackson (PDF 101KB) Department of Finance and	53	Name Withheld (PDF 40KB)	77	Name Withheld (PDF 28KB)
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118 Name Withheld (PDF 30KB)	142	Mr Tim Tunbridge (PDF 313KB)	165	Mr Russell Vernon (PDF 3KB)
119 Mr Chris Broomhead (PDF 91KB)	143	Department of Developmental	166	Ms Dianne Murphy (PDF 87KB)
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121 Mr Adrian Gallagher (PDF 83KB)	144	Mr Andrew Batts (PDF 60KB)	168	Mr Pobort Starky (PDE 230KB)
122 Name Withheld (PDF 38KB)	145	Mr Alexander Cornell Stewart (PDF	169	Mr David Jackson (PDF 91KB)
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173	Mr Brian Brady (PDF 4KB)	198	Mr Amit Khaira (PDF 94KB)	221	Ms Aileen Benger (PDF 5KB)
174	Mr Paul Sampson (PDF 64KB)	199	Ms Sibon Apile (PDF 4KB)	222	Reverend Matthew James (PDF 55KB)
175	Graham and Lois Mitchell (PDF 98KB)	200	Mr Ian Kilminster (PDF 5KB)	223	Ms Patricia Heazlewood (PDF 92KB)
176	Ms Berly Jobe (PDF 3KB)	201	Family Council of Victoria (PDF 82KB)	224	Ms Rosamund Riley (PDF 88KB)
177	Ms Julie Hagedorn (PDF 106KB)	202	Dr Janet Berry (PDF 104KB)	225	Ms Judith Patterson (PDF 27KB)
178	Mr Peter Kriewaldt (PDF 90KB)	203	Councillor Tony Briffa JP (PDF 5386KB)	226	Rainbow Families Council (PDF 103KB)
179	Mrs Colleen Blacket (PDF 4KB)	204	Ms Anne Hewitt, Professor Andrew Stewart, Professor Rosemary Owens, Ms Gabrielle	227	Australian Association of Social Workers (PDF 231KB)
180	Mr Paul Russell (PDF 55KB)		Appleby and Ms Beth Nosworthy (PDF 472KB)	228	Mr Rod Bevan (PDF 91KB)
181	Jeff and Karen Lawson (PDF 5KB)	205	Dr Rosemary Mann (PDF 96KB)	229	Mr Ken Brunjes (PDF 102KB)
182	Mr Lynton Phillips (PDF 4KB)	206	Ms Anita Downes (PDF 82KB)	231	Dr Peter Couttie (PDF 100KB)
183	George and Margaret Gourlay (PDF 67KB)	207	Discrimination Law Experts Group (PDF 867KB)	232	Peter and Margaret Dormer (PDF 94KB)
184	Mrs Harriet Remy-Maillet (PDF 70KB)	208	Mr Rowan Payne (PDF 55KB)	233	Pastor Brian Kempson (PDF 78KB)
185	Mr Ken Burt (PDF 88KB)	209	Mr Samuel Brand (PDF 32KB)	234	Rick and Lynn Bristow (PDF 98KB)
186	Ms Doreen Western (PDF 31KB)	210	Ms Leslie Jones (PDF 3KB)	235	Name Withheld (PDF 42KB)
187	Mr Stuart Clarke (PDF 3KB)	211	FamilyVoice Australia (PDF 164KB)	236	Mr Barry Bell <u>(PDF 4KB)</u>
188	Mr Peter Kentley (PDF 14KB) Mr David Drew (PDF 102KB)	212	Dr John Davies (PDF 105KB)	237	Christian Schools Australia (PDF 478KB)
191	Menno and Marlene Bokma (PDF	213	Ms Christine Elam (PDF 94KB)	238	National Congress of Australia's First Peoples (PDF 213KB)
192	92KB) Ms Patricia Horneman (PDF)	214	Ms Jan Sanders (PDF 3KB) Mr Barry Lock (PDF 94KB)	239	Australian Federation of AIDS
	<u>22KB)</u>	216	Confidential	240	Organisations (PDF 458KB) Salt Shakers (PDF 36KB)
193 194	Mr Allan Cleanthous (PDF 88KB) Mr Roji Chacko (PDF 88KB)	217	beyondblue (PDF 954KB)	241	Doctors for the Family (PDF
195	Mr Edwin Holt (PDF 3KB)	218	Shop Distributive and Allied Employees Association (PDF 373KB)	242	244KB) Executive Council of Australian Jewry (PDF 229KB)

243	Melbourne Savage Club (PDF 880KB)	266	Mr Nolan Murphy (PDF 20KB)	292	Mr Cal Pritchard (PDF 215KB)
244	ACON (PDF 172KB)	267	Ms Bronwyn Molloy (PDF 8KB)	293	Mr Leigh Cowan (PDF 61KB)
245	NT Working Women's Centre (PDF 193KB)	268	Ms Mary Allison (PDF 10KB)	294	Ms Jessica Lancaster (PDF 94KB)
246	Australian Baha'i	269	Mr Owen Allison (PDF 9KB)	295	Ms Elizabeth King (PDF 7KB)
	Community (PDF 118KB)	270	Mr Grant Lock (PDF 53KB)	296	Mr Jed Gilbert (PDF 90KB)
247	Catholic Prison Ministry (PDF 162KB)	271	Mrs Diane Newland (PDF 37KB)	297	Ms Maddalena Torre (PDF 88KB)
248	The Law Society of South Australia (PDF 2713KB)	272	Ms Jill McKay (PDF 9KB)	298	Androgen Insensitivity Support Group Australia (PDF 238KB)
249	Castan Centre for Human Rights Law (PDF 111KB)	273	Mr Alex McCulloch (PDF 31KB)	299	Mr Bayne MacGregor (PDF
250	Ms Tamara Britza (PDF 24KB)	274	Mr Richard Pratt (PDF 8KB)		89KB)
251	Mr Chris Gill (PDF 16KB)	275	Job Watch <u>(PDF 479KB)</u>	300	Mr Jeffrey Gill <u>(PDF 94KB)</u>
252	Ms Jan Thwaites (PDF 64KB)	276	Mr Ian Holford (PDF 37KB)	301	Mr Michael Yates (PDF 220KB)
253	Mr Stephen Kinkead (PDF 17KB)	277	Ms Mieke Walker (PDF 116KB)	302	Ms Jessica Sutton (PDF 130KB)
254	Name Withheld (PDF 53KB)	278	Ms Anne Rolfe (PDF 8KB)	303	Mr David Hollingworth (PDF 90KB)
	, ,	279	Suncorp Group (PDF 375KB)	304	Ms Sianon Daley (PDF 131KB)
255	National Aboriginal and Torres Strait Islander Legal Services (PDF 546KB)	280	, , , ,	305	Ms Deborah Hoad (PDF 92KB)
256	Mr Paul Rogerson (PDF 1720KB)		Ms Celia McCoy (PDF 13KB)	306	Mr Justin Johnson (PDF 150KB)
		281	Mr Robert Hoerisch (PDF 49KB)		
257	National Farmers Federation (PDF 447KB)	282	Ms Mary Whitta (PDF 32KB)	307	Civil Contractors Federation (PDF 208KB)
258	Mr Robert Claxton (PDF 35KB)	283	Ms Lyn Gargan (PDF 9KB)	308	Australian Psychological Society (PDF 320KB)
259	Ms June Laws (PDF 8KB)	284	Dr KF Leong (PDF 8KB)	309	Australian Federation of Disability Organizations (PDF
260	Mr John Smith (PDF 32KB)	285	Ms Rebeka Diamondstar (PDF 27KB)		114KB)
261	Ms Pippa Boyd (PDF 61KB)	286	Name Withheld (PDF 53KB)	310	Australian Council of Trade Unions (PDF 347KB)
262	Ms Louis Stevenson (PDF 3KB)	287	Mr Geoffrey Brent (PDF 94KB)	311	White Ribbon Australia (PDF 534KB)
263	Willoughby, Margaret and Dorothy Summerson (PDF 11KB)	288	Fr David J Smith (PDF 27KB)	312	Catholic Women's League Australia (PDF 870KB)
264	Mr Graham Rule (PDF 7KB)	289	Mr Brendan Cameron (PDF 97KB)	313	Australian Women Against Violence Alliance (PDF 505KB)
265	Mr Allan Wilson (PDF 12KB)	290	Ms Carlene Strauss (PDF 8KB)	314	Clubs Australia Industrial (PDF 379KB)
		1		1	

315	United Voice (PDF 265KB)	337	Living Positive Victoria (PDF 136KB)	357	Australian Family Association (PDF 366KB)
316	Domestic Violence Victoria (PDF 236KB)	338	Caxton Legal Centre (PDF 412KB)	358	Australian Council of Human Rights Agencies (ACHRA) (PDF
317	National Tertiary Education Industry Union (PDF 201KB)	339	Women's Legal Services New South Wales (PDF 597KB)	359	279KB) Australian Association of
318	Prisoners' Legal Service (PDF 178KB)	340	Women's Legal Centre (ACT and Region) (PDF 165KB)		Christian Schools (AACS) (PDF 533KB)
319	Business Council of Australia (PDF 1360KB)	341	Mr Steven Münchenberg (PDF 223KB)	360	Australian Catholic Bishops Conference (PDF 164KB)
320	National LGBTI Health Alliance (PDF 473KB)	342	Queensland Independent Education Union (PDF	361	Australian Institute of Company Directors (PDF 3272KB)
321	Chartered Secretaries Australia (PDF 124KB)		192KB) Attachment 1(PDF 101KB)	362	Anti-Discrimination Commission Queensland (PDF 115KB)
322	A Gender Agenda (PDF 364KB)	343	Australian Education Union (PDF 44KB)	363	National Retail Association (PDF 327KB)
323	National Disability Services (PDF 98KB)	344	Q Society of Australia (PDF 76KB)	364	Victorian AIDS Council/Gay Men's Health Centre (VAC/GMHC) (PDF 182KB)
324	Vision Australia (PDF 241KB)	345	The Hon Diana Bryant AO, Chief Justice, Family Court of Australia (PDF 59KB)	365	Right to Life Association WA (PDF 556KB)
325	Tasmanian Gay and Lesbian Rights Group (PDF 102KB)	346	Victoria Legal Aid (PDF 2400KB)	366	Disability Discrimination Legal
326	UnitingCare Community (PDF 310KB)	347	Federation of Ethnic Communities' Councils of		Service and Villamanta Disability Rights Legal Service (PDF 120KB)
327	North Melbourne Legal Service (PDF 145KB)	348	Australia (PDF 472KB) Financial Services Council (PDF	367	The Equal Rights Trust (PDF 699KB)
328	New South Wales Council for Civil Liberties (PDF 365KB)		296KB) Tenants' Union of New South	368	Lesbian Gay Bisexual Trans Intersex Legal Service Inc. (PDF
329	Anglicare Sydney (PDF 173KB)	349	Wales (PDF 145KB) Attachment 1(PDF 1326KB)	369	148KB) Arts Law Centre of Australia
330	Free TV Australia (PDF 277KB)	350	Centre for Comparative Constitutional Studies (PDF	370	(PDF 565KB) South Australian Wine Industry
331	Institute of Public Affairs (PDF 417KB)	351	390KB) Australian Services Union (PDF		Association (PDF 27KB)
332	Mr Aram Hosie (PDF 94KB)	352	52KB) Equality Rights Alliance (PDF)	371 372	Val's Cafe (PDF 202KB) Gay and Lesbian Health Victoria
333	Australian Unity (PDF 3030KB)		<u>534KB)</u>	3/2	(GLHV), La Trobe University (PDF 346KB)
334	National Association of Community Legal Centres and Kingsford Legal Centre (PDF	353	Master Builders Australia (PDF 232KB)	373	Mr Dale Reardon (PDF 167KB)
335	631KB) Inner City Legal Centre (PDF)	354	Women's Law Centre of Western Australia (PDF 1175KB)	374	Maurice Blackburn Lawyers (PDF 591KB)
336	468KB) Women's Legal Services	355	Victorian Government (PDF 4487KB)	375	Hotham Mission (PDF 562KB)
	Australia (PDF 225KB)	356	Independent Education Union of Australia (PDF 306KB)	376	The Australian Sex Party (PDF 1119KB)

377	Wilberforce Foundation (PDF 329KB)	397	Respect Inc (PDF 708KB)	418	Australian Institute of Aboriginal and Torres Strait Islander
378	Diversity Council Australia (PDF 126KB)	398	Scarlet Alliance (PDF 912KB)	419	Studies (AIATSIS) (PDF 504KB) Australian Christian Lobby (PDF
379	Liberty Victoria (PDF 178KB)	399	Victorian Women Lawyers (PDF 294KB)		330KB)
380	Anglican Church Diocese of Sydney (PDF 107KB)	400	Seventh-day Adventist Church (Victorian Conference) (PDF	420	Insurance Council of Australia (PDF 242KB)
381	Victorian Employers' Chamber of	401	621KB) Stanley River Valley Community	421	Public Interest Advocacy Centre (PDF 1896KB)
	Commerce and Industry (VECCI) (PDF 462KB)	401	Church (PDF 156KB)	422	Equal Opportunity Commission of Western Australia (PDF
382	Construction, Forestry, Mining and Energy Union (CFMEU) (PDF	402	Human Rights Law Centre (PDF 428KB)	423	170KB) ACT Human Rights
383	1037KB) Australian GLBTIQ Multicultural	403	National Seniors Australia (PDF 821KB)	423	Commission (PDF 625KB)
363	Council Inc. (PDF 219KB) - continued in Newsletter No	404	Saint Mary MacKillop College Albury (PDF 425KB)	424	Australian Finance Conference (PDF 46KB)
384	Coalition Of Activist Lesbians	405	Healthy Communities (PDF 80KB)	425	Public Interest Law Clearing House (PILCH) (PDF 322KB)
385	Australia Inc. (PDF 588KB) Cairns Community Legal Centre	406	Australian Lawyers for Human	426	Mr Spencer Gear (PDF 67KB)
	(PDF 416KB)	407	Rights (PDF 1092KB) Civil Liberties Australia (PDF	427	Mr Bill Lloyd-Smith (PDF 41KB)
386	Catholic Health Australia (PDF 525KB)		<u>105KB)</u>	428	Dr Mark Hughes (PDF 13KB)
387	NSW Gay and Lesbian Rights Lobby (PDF 807KB)	408	Professor Sheila Jeffreys (PDF 62KB)	429	Office of the Anti-Discrimination Commissioner (PDF 476KB)
388	HammondCare (PDF 679KB)	409	Ambrose Centre of Religious Liberty (PDF 522KB)	430	COTA Australia (PDF 302KB)
389	NSW Reconciliation Council (PDF 1025KB)	410	Dr Augusto Zimmermann and Mrs Lorraine Finlay (PDF 297KB)	431	Reformation Ministries (PDF 153KB)
390	Aboriginal and Torres Strait Islander Women's Legal Service (PDF 115KB)	411	Australian Chamber of Commerce and Industry (ACCI) (PDF	432	Matrix Guild of Victoria (PDF 13KB)
391	Catholic Archdiocese of Sydney (PDF 4261KB)		1934KB) Attachment 1(PDF 2037KB)	433	Defence Lesbian, Gay, Bisexual, Transgender, and Intersex Information Service
392	Victorian Automobile Chamber of	412	Queensland Advocacy Incorporated (PDF 233KB)	40.4	(DEFGLIS) (PDF 60KB)
393	Commerce (PDF 623KB) Ethnic Communities' Council of	413	Dr Jo Harrison (PDF 31KB) Attachment 1(PDF 73KB)	434	Ms Helen Stitt (PDF 25KB) Law Council of Australia (PDF
394	Victoria (PDF 656KB) Seventh-day Adventist Church	414	Youth Advocacy Centre (PDF 342KB)	433	478KB)
	Western Australia (PDF 429KB)	415	Australian Industry Group (PDF	436	Lesbian and Gay Solidarity (Melbourne) (PDF 64KB) Supplementary Submission(PDF)
395	All Out (PDF 178KB)	416	122KB) Australian Business Industrial		13KB)
396	Darebin Sexuality, Sex and Gender Diversity Advisory	710	(PDF 188KB)	437	Ethos (PDF 32KB)
	Committee (PDF 118KB)	417	Dads4Kids Fatherhood Foundation (PDF 639KB)	438	Mr Alton Bowen (PDF 9KB)

439	Ms Gayle Foster (PDF 36KB)	462	Mr Paul Smithers (PDF 212KB)		<u>534KB)</u>
440	Mr John Pfeiffer <u>(PDF 34KB)</u>	463	Mr Roy Ford (PDF 121KB)	485	Mr Colin Johnston (PDF 154KB)
441	Confidential	464	Presbyterian Church of	486	Mr John Szilard <u>(PDF 192KB)</u>
442	Ms Vi Maidment (PDF 37KB)	465	Victoria (PDF 722KB) Presbyterian Church of	487	Confidential
443	Mr Michael and Meryl Stathis		Australia's General Assembly (PDF 214KB)	488	Ms Amanda Williamson (PDF
444	(PDF 8KB) Dr Raymond Jones (PDF 9KB)	466	UnitingJustice Australia (PDF 300KB)	489	37KB) Ms Merle Ross (PDF 47KB)
445	Mr Tony Fisher (PDF 12KB)	467	NSW Government (PDF 170KB)	490	Doug and Jean Holmes (PDF
446	ANU College of Law "Equality	468	CANdo (PDF 156KB)	491	13KB)
447	Project" (PDF 66KB)	469	Ms Chelle Destefano (PDF		Name Withheld (PDF 77KB)
447	Freedom 4 Faith (PDF 596KB)	470	100KB) Ms Jo Daniels (PDF 92KB)	492	Name Withheld (PDF 49KB)
448	National Council on Intellectual Disability (PDF 126KB) Attachment 1(PDF	471	Mr Malcolm Eglinton (PDF	493	Name Withheld (PDF 48KB)
440	<u>389KB)</u>	472	118KB) Mrs. Louisea Brady (DDE 47KB)	494	Ms Christine Hodges (PDF 9KB)
449 450	Ms Gail Instance (PDF 183KB) Mr Spero Katos (PDF 95KB)	473	Mrs Louise Brady (PDF 47KB) Name Withheld (PDF 83KB)	495	Queensland Attorney-General and Minister for Justice, the Hon Jarrod Bleijie MP (PDF 3032KB)
451	Name Withheld (PDF 615KB)	474	Ms Beverley Demopoulos (PDF	496	Seventh-day Adventist Church - Australia (PDF 200KB)
452	Ms Katherine Eastman SC (PDF		37KB)	497	Redfern Legal Centre and the
432	<u>394KB)</u>	475	The Human Rights Council of Australia (PDF 251KB)		Australian Human Rights Centre (PDF 277KB)
453	Name Withheld (PDF 39KB)	476	Ad Hoc Interfaith Committee (PDF 694KB)	498	Legal Aid NSW (PDF 157KB)
454	Mr Robert Jones (PDF 78KB)	477	Mr Douglas McDonald (PDF 326KB)	499	The Salvation Army Australia (PDF 182KB)
455	Council of Small Business of Australia (PDF 97KB)	478	Mr George Kokonis (PDF 65KB)	500	Women With Disabilities ACT (PDF 254KB)
456	Tasmanian Baptist Churches (PDF 274KB)	479	Australian Baptist Ministries (PDF 135KB)	501	Ms Lynda Neasbey (PDF 40KB)
457	Reverend Narelle Oliver (PDF 145KB)	480	Catholic Women's League of	502	Mr Roy Everett (PDF 19KB)
458	Confidential		Victoria and Wagga Wagga Inc. <u>(PDF 116KB)</u>	503	Ms Cheryl Harrold (PDF 44KB)
459	Confidential	481	Rev Les Percy (PDF 14KB)	504	Mr Peter Dixon (PDF 120KB)
460	John and Dorothy Wheeler (PDF 131KB)	482	TransGender Victoria (PDF 115KB)	505	Ms Anne Kirkwood (PDF 121KB)
461	Confidential	483	Men's Australian Network (PDF 110KB)	506	Bible Believers' Church (PDF 665KB)
		484	Joint Media Organisations (PDF		

507	Dr Kameel Majdali <u>(PDF 15KB)</u>	531	Mr Ken Francis (PDF 22KB)	555	Mr Duane Sewell (PDF 23KB)
508	Name Withheld (PDF 22KB)	532	Mr Jason Stehn (PDF 59KB)	556	Australian Centre for Disability law (PDF 573KB)
509	Graham and Eulalie Holman (PDF 98KB)	533	Reverend Angus McLeay (PDF 318KB)	557	Tasmanian Attorney-General (PDF 1407KB)
510	Ms Chris Sitka (PDF 16KB)	534	Victorian Gay and Lesbian Rights Lobby <u>(PDF 498KB)</u>	558	Professor Nicholas Aroney and Professor Patrick Parkinson AM
511	Mr Andrew Stagg (PDF 17KB)	535	Mr Daniel Scot (PDF 493KB)		(PDF 339KB) Attachment 1(PDF 131KB)
512	Reverend Peter Rose (PDF 13KB)	536	Name Withheld (PDF 68KB)	559	Name Withheld (PDF 130KB)
513	Dr John Leach (PDF 18KB)	537	Mr Alex Greenwich MP (PDF 150KB)	560	Confidential – [Dr F Töben – name added by editor AI]
514	The Perth Sisters and Brothers of the Order of Perpetual Indulgence and OPI Sisters Perth	538	Mr Graham Douglas-Meyer <u>(PDF</u> <u>219KB)</u>	561	Mrs Mary Clare Meney (PDF 404KB)
	Abbey of the Black Swan (PDF 137KB)	539	Mr Adrian Gunton (PDF 34KB)	562	Ms Michele Dickinson (PDF 44KB)
515	Anglican Diocese of Tasmania (PDF 881KB)	540	Mr Corey Irlam (PDF 182KB) Attachment 1(PDF 999KB)	563	Rev. Richard Armour (PDF 53KB)
516	Mr Alastair Lawrie (PDF 109KB)	541	Mr Matthew Vermeulen (PDF 45KB)	564	Mr James Newburrie (PDF 232KB)
517	Mr Alan Mitter (PDF 2084KB)	542	Mrs Yvonne Pratt (PDF 32KB)	565	Name Withheld (PDF 43KB)
518	Mr Bob Densley (PDF 70KB)			566	Mr Alan Manson (PDF 113KB)
519	Mr Peter Gelding (PDF 10KB)	543	Name Withheld (PDF 49KB)		<u>(************************************</u>
520	Name Withheld (PDF 29KB)	544	Simone Tippett and Karen Magee (PDF 42KB)	567	Name Withheld (PDF 125KB)
521	Mr Peter Torlach (PDF 108KB)	545	Mr Greg Walsh (PDF 3215KB)	568	Ms Heidi Forrest (PDF 60KB)
	-	546	Name Withheld (PDF 52KB)	569	Mrs Judy Wilyman (PDF 151KB)
522	Pastor Neil Hampel (PDF 856KB)	-47	M Div 1 (DDE CAVD)	570	Tamsin White (PDF 43KB)
523	Mrs M Cottrell (PDF 664KB)	547	Ms Rita Joseph <u>(PDF 64KB)</u>	571	Mr Matt Brazier <u>(PDF 18KB)</u>
524	Ms Marilyn Kulpinski (PDF 18KB)	548	Name Withheld (PDF 62KB)	F72	Mr. Dhilia Dahl (DDF 100VD)
525	Mr C Bennett (PDF 1389KB)	549	Name Withheld (PDF 78KB)	572	Mr Philip Rabl (PDF 190KB)
526	Mr Edward Yee (PDF 771KB)	550	Mr Graeme Scott (PDF 40KB)	573	Mr Bob Buckley (PDF 96KB)
527	Mr David Glasgow (PDF 1005KB)	551	Kerry and Karen Bos (PDF 123KB)	574	Jack and Nanette Blair (PDF 230KB)
528	Dr D Gaffney (PDF 1019KB)	552	Name Withheld (PDF 22KB)	575	Associate Professor Guy Hall <u>(PDF 91KB)</u>
529	Mr Lyle Hutchinson (PDF 183KB)	553	Mr Drew Koppe (PDF 31KB)	576	Mr Damian Capp (PDF 39KB)
530	Mr Patrick Cole (PDF 22KB)	554	Queensland Council for Civil Liberties (PDF 193KB)	577	Mr Eric Jones (PDF 228KB)
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578	Mr Steve Lick (PDF 114KB)
579	Name Withheld (PDF 57KB)
580	Ms Zoe Brain (PDF 62KB)
581	Mr Phillip Douglass (PDF 18KB)
582	Ms Jo Lillicot (PDF 159KB)
583	Ms Jacquie Seemann (PDF

583 Ms Jacquie Seemann (PDF 123KB)

584 Mr R Brennan (PDF 126KB)

Rationalist Society of Australia (PDF 164KB)

586 Mental Health Council of Australia and beyondblue (PDF 789KB)

587 Confidential

588 Gender Vie (PDF 277KB)

589 Gerard and Andrea Calilhanna (PDF 266KB)

Australian Federation of Employers and Industries (PDF 224KB)

591 Victorian Women's Trust (PDF 457KB)

Additional Information Received

- **1.** Article tabled by Liberty Victoria at public hearing on 23 January 2013 'If we believe all people are equal we must live this' (PDF 758KB)
- **2.** Article tabled by Liberty Victoria at public hearing on 23 January 2013 'Shutting out the â€~sinners' feeds bigotry'(PDF 612KB)
- **3.** Document tabled by beyondblue at public hearing on 23 January 2013 'Summary of proposed amendments to

the Human Rights and Anti-Discrimination Bill 2012'(PDF 236KB)

- **4.** Report tabled by beyondblue at public hearing on 23 January 2013 'Mental Health, Discrimination and Insurance: A Survey of Consumer Experiences 2011' (cover only report not attached)(PDF 227KB)
- **5.** Report tabled by Organisation Intersex International at public hearing on 24 January 2013 'On the management of differences of sexual development: Ethical issues relating to "intersexuality"'(PDF 5638KB)
- **6.** Opening statement tabled by the Australian Human Rights Commission at public hearing on 24 January 2013(PDF 1127KB)

Answers to Questions on Notice

1. Response to a question on notice provided by Mr Mark Sneddon, Crown Counsel (Advisings) on behalf of the Victorian Government on 31 January 2013.(PDF 144KB)

http://www.aph.gov.au/Parliament ary Business/Committees/Senate Committees?url=legcon ctte%2Fan ti_discrimination_2012%2Fsubmiss ions.htm

By 15 January 2013 the Exposure Draft of Human Rights and Anti-Discrimination Bill 2012 Senate Committee had received and lists on its website 581 submissions with Töben's classified as a confidential submission number 560 considered by Committee members in camer...



THE SENATE

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

11 January 2013
Dr Fredrick Töben
Email: toben@toben.biz

Dear Dr Töben

Inquiry into the Human Rights and Anti-Discrimination Bill 2012 - Exposure Draft Legislation

Thank you for making a submission to the committee's inquiry.

The committee has considered your submission and has accepted it *in camera*. This means that the committee will have the benefit of your submission, but the content of it will not be made public or published on the committee's website. *In camera* submissions may not be published or disclosed without the committee's permission.

You are protected by parliamentary privilege in respect of the submission, but please be aware that this protection will be lost if the submission is disclosed or published without the committee's permission.

If you require any further information concerning this inquiry, please contact the committee secretariat on (02) 6277 3560.

Yours sincerely Committee Secretary

Public Hearings - Melbourne, Wednesday 23 January 2013

Time: 8:45am - 5:45pm

Venue: Hotham Rooms A and B, Rydges North Melbourne

Exposure Draft - Human Rights and Anti-Discrimination Bill 2012

8:45am-9:15am Liberty Victoria (Submission 379)

	Mr Jamie Gardiner, <i>Vice President</i> Victorian Gay and Lesbian Rights Lobby (Submission 534)
9:15am-10:00am	Australian Council of Trade Unions (Submission 310) Ms Belinda Tkalcevic, Legal and Industrial Officer
10:00am-10:45am	Australian Chamber of Commerce and Industry (Submission 411) Mr Daniel Mammone, Director of Workplace Policy and Director of Legal Affairs
10:45am-11:00am	Morning tea break
11:00am-11:45am	Australian Federation of Disability Organizations (Submission 309) Ms Lesley Hall, Chief Executive Officer Mr Stephen Gianni, National Policy Officer Disability Discrimination Legal Service and Villamanta Disability Rights Legal Service (Submission 366) Ms Julie Phillips, Manager
11:45am-12:30pm	Australian Domestic and Family Violence Clearinghouse (Submission 24) via teleconference Ms Gaby Marcus, Director Ms Fiona McCormack, CEO, Domestic Violence Victoria Ms Ludo McFerran, Manager, Safe at Home, Safe at Work Project Ms Shabnam Hameed, Industrial PO, Safe at Home, Safe at Work Project Ms Anna Davis, Co-Cordinator NT Working Women's Centre (via teleconference)
12:30pm-1:15pm	Lunch Break
1:15pm-2:00pm	Institute of Public Affairs (Submission 331) Mr Simon Breheny, Director, Legal Rights Project Free TV Australia (Submission 330) via teleconference Joint Media Organisations (Submission 484) via teleconference
2:00pm–2:45pm	Human Rights Council of Australia (Submission 475) Mr Andrew Naylor, Chairperson Office of the Anti-Discrimination Commissioner (Tasmania) (Submission 429) Ms Robin Banks, Anti-Discrimination Commissioner Australian Council of Human Rights Agencies (Submission 358) Ms Karen Toohey, Acting Commissioner, Victorian Equal Opportunity and Human Rights Commission Ms Skye Rose, Senior Legal Adviser, Victorian Equal Opportunity and Human Rights Commission
2:45pm-3:30pm	Human Rights Law Centre <i>(Submission 402)</i> Public Interest Law Clearing House <i>(Submission 425)</i>
3:30pm-3:45pm	Afternoon tea break
3:45pm-4:15pm	Australian Association of Christian Schools (Submission 359)
4:15pm-4:45pm	Shop Distributive and Allied Employees Association (Submission 218)
4:45pm-5:15pm	Beyondblue (Submission 217 and Submission 586 joint submission with Mental Health Council of Australia) Ms Kate Carnell AO, Chief Executive Officer Mr Joshua Fear, Director, Policy and Projects, Mental Health Council of Australia
5:15pm-5:45pm	TBC

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/a

nti discrimination 2012/hearings/230113.htm

Public Hearings - Sydney, Thursday 24 January 2013

	Time: 9:00am - 4:30pm Venue: Macquarie Room, New South Wales Parliament House, Sydney
	Exposure Draft – Human Rights and Anti-Discrimination Bill 2012
9:00am-9:45am	Organisation Intersex International (Submission 12) NSW Gay and Lesbian Rights Lobby (Submission 387) Dr Justin Koonin, Co-convenor Mr Jed Horner, Policy and Project Officer
9:45am-10:30am	Public Interest Advocacy Centre (Submission 421) Mr Edward Santow, Chief Executive Officer Ms Camilla Pandolfini, Senior Solicitor Ms Michelle Cohen, Senior Solicitor National Association of Community Legal Centres (Submission 334)
10:30am-11:15am	Freedom 4 Faith <i>(Submission 447)</i> Mrs Chelsea Pietsch, <i>Executive Officer</i> Bishop Robert Forsyth, <i>Member of Campaign Committee</i>
11:15am-11:30am	Morning tea break
11:30am-12:15pm	Australian Catholic Bishops Conference <i>(Submission 360)</i> via teleconference Reverend Brian Lucas, <i>General Secretary</i>
12:15pm-12:45pm	HammondCare <i>(Submission 388)</i> Miss Tara Michaels, <i>Legal Counsel</i> Mr Dominic Cudmore, <i>Legal Adviser</i>
12:45pm-1:30pm	Lunch break
1:30pm-2:00pm	Associate Professor Mark Hughes (Submission 428) via teleconference
2:00pm-2:45pm	Congress of Australia's First Peoples <i>(Submission 238)</i> National Aboriginal and Torres Strait Islander Legal Service <i>(Submission 255) via teleconference</i>
2:45pm-3:00pm	Afternoon tea break
3:00pm-3:45pm	Law Council of Australia (Submission 435) Mr Nicholas Cowdery QC, Human Rights Advisor Ms Sarah Moulds, Senior Policy Lawyer Discrimination Law Experts Group (Submission 207) Professor Simon Rice OAM, Chair of Law Reform and Social Justice, Australian National University Dr Belinda Smith, Senior Lecturer, University of Sydney Dr Elizabeth Dickson, Senior Lecturer, Queensland University of Technology
3:45pm-4:30pm	Australian Human Rights Commission (Submission 9)

Professor Gillian Triggs, President
Mr David Mason, Principal Adviser, Human Rights Scrutiny
Mr Darren Dick, Director, Policy and Programs
Ms Julie O'Brien, Director, Legal Services
Ms Tracey Raymond, Director, Investigation and Conciliation Section

4:30pm

Adjournment

http://www.aph.gov.au/Parliamentary Business/Committees/Senate Committees?url=legcon ctte/anti discrimi nation_2012/hearings/240113.htm

From: Dr Fredrick Töben

Adelaide toben@toben.biz_M: 0417088217

SUBMISSION to the Parliamentary Enquiry into the EXPOSURE DRAFT of the HUMAN RIGHTS and ANTI- DISCRIMINATION BILL 2012

Senators Trish Crossin, Susan Boyce, George Brandis, Mark Furner, Garry Humphries, Louise Pratt, Scott Ryan, Penny Wright.

To: Enquiry Secretary

Ms Jackie Morris - Jackie.Morris@aph.gov.au

FURTHER SUBMISSION: 27 January 2013

Dear Committee Members

I had the benefit of attending both your sessions - in Melbourne on 23 January and in Sydney on 24 January 2013.

I noted that not a single submission insisted on including the concept TRUTH as a fundamental guiding principle when enacting human rights legislation. On the second day of the hearing I approached Committee Deputy Chair Senator Garry Humphries requesting permission to address the Committee. Both he and the Chair, Senator Trish Crossin, discussed the matter and the Enquiry secretary Jackie Morris advised me of their decision, i.e. it was not appropriate for me to be given such an opportunity.

Later Senator Humphries advised me that I should send in another submission on this matter of Truth that I was worrying about, which I now do in the following:

1. During the various submissions I noticed that whenever he could Senator George Brandis made much of Andrew Bolt's legal case having activated Section 18c of the RDA. However, Senator Brandis failed to stress that Justice Mordecai Bromberg's judgment against Bolt rested on a precedent set by my case before Justice Catherine Branson in the FCA on 17 September 2002, confirmed on appeal on 27 June 2003. Only Senator Scott Ryan

mentioned in passing that not only did Andrew Bolt get caught by the RDA but also 'Holocaust deniers'.

- 2. It must be noted that in 2009 Senator Brandis 'finished-off' the President of the Human Rights Commission, Catherine Branson, when he grilled her about the Australian Human Rights Commission having attended the UN Durban II conference as observers, which Brandis saw as a contravention of Australia's political stance adopted against the political agenda embodied in the UN's Durban Conference. Branson did not see out her five-year contract and departed in the middle of 2012 at the end of her fourth year to spend more time with 'family'.
- **3.** At our 2010 annual national conference of Australian College of Educators in Sydney the President of the Human Rights Commission, Catherine Branson, delivered a keynote address about bullying in schools wherein she stressed the importance of teaching human rights in schools. During question time - and only two questions were allowed - I asked her where the Truth concept is to be found within the human rights legislation. I stressed that TRUTH is one of the most important concepts on which the foundation of our civilisation rests. She could not answer my question and made some personal remarks about my case, which was quite irrelevant.
- **4.** I recall that it was Justice Branson who gave me the FCA gag orders forbidding me to question the pillars of the 'Holocaust' narrative: Six million, systematic extermination and existence of homicidal gas chambers, which was however welcomed by Senator Brandis who appears to be enamoured by the prospects of sniffing out 'antisemites' and 'Holocaust deniers' through any legislation enacted by Parliament.
- 5. On numerous occasions it was necessary for Senator Crossin, who chairs the hearing with Senator Humphries, admonish Senator to Brandis' interjections, especially when the news of the day detailed how Senator Crossin has been sidelined by her Prime Minister as a senate candidate for the Northern Territory at the next election. As a former teacher I could empathise with Senator Crossin who must have thought she was back in the classroom where a naughty boisterous and active mind interjects and impedes a free flow of ideas by monopolising the discussion.
- **6.** During my teaching years I always delighted in firmly confronting such 'naughty boys' by giving them the opportunity to extend their mental prowess but then also setting moral limits and requiring that manners be observed. Today this lack of manners is in part taken up indirectly through 'political correct' thinking processes, i.e.

we should not in these verbal exchanges of the battle-of-the-wills become rude or insulting, i.e. we need to remain civilised. That is what I essentially discerned during the submissions, especially by individuals who because of their sexuality do not need additional problems of social victimisation-bastardisation.

- 7. Such demand for manners transcends any of the categories that are now deemed in need of protection, something the legislators fail to understand because they have rejected the concept of morality and truth as a guiding light in settling human disputes. These dialectic materialist-rationalists claim that TRUTH is a social construct, i.e. there is no such thing as TRUTH. Yet, if a person does not tell the truth under oath, in effect tells lies, then they still consider such an act an indictable offence.
- 8. This twisted ideological stance rests in large measure on the success of the language philosophers having displaced the moral philosophers that then gave the Marxist ideologues open-ended space to introduce their absolutist ideology of dialectic materialism - which in the Soviet Union until the late 1950s filled the GuLags with political prisoners who refused to embrace the Marxist ideology. That Australia can easily slip into such absolutist mindset is not too farfetched and fanciful a notion especially if it is borne in mind that these hearings are testing the water so see if the social climate is ready to establish a new Australian Human Rights Act
- **9.** I am reminded of the clash that occurred during the 1950s between Ludwig Wittgenstein and Karl Popper when the latter invites the former to give a talk at Cambridge University. Wittgenstein, a language philosopher, introduces Popper to the seminarians by stating that 'all our problems will disappear, if only we correctly analyse our language'.

Popper asks: 'What about moral problems?', to which Wittgenstein, standing next to the fire place, agitatedly responds by picking up the fire poker and waving it about exclaiming: 'There are no moral problems.' Popper responds: 'What about the moral problem of a host threatening a visitor with a fire poker?' Although the ending controversial, Popper himself informed me that Wittgenstein threw down the fire poker and stormed out the room.

- 10. This exchange is an example of two grown men having a public dispute, which one settles by developing a huff-and-puff attitude, then running away. In regard to today's legal mindset, and bearing Jeremy Sean Jones' behaviour in mind, and the RDA activated, Wittgenstein would have redress by claiming what Popper said was a provocation and 'reasonably and likely offended him'.
- 11. This is the situation I faced in 1996 when Jeremy Sean Jones claimed my 'Holocaust-Shoah' research offended him. Interestingly, although each time when I was ordered to removed socalled offensive material from our Adelaide Institute website, which I did, it was not the material cited in the HREOC findings nor in the FCAS judgment that are now on public record. The material objected to by Zionist Sean Jones was specific Jeremy 'Holocaust-Shoah' material that contradicted his 'official' narrative, i.e. that during World War Two Germans never killed anyone in homicidal gas chambers - which is an outrageous wartime propaganda lie that he wanted protected on that nonsense claim his feelings had been hurt. All the non-Jewish judges involved in my case bent to Jewish pressure, thereby throwing TRUTH out the proverbial legal window.
- **12.** At no time was Jones prepared to discuss our differences, i.e. my personal research at Auschwitz and Treblinka where I could not find any evidence of mass gassings. He did not wish to conciliate because his aim was to implement the Zionist agenda of criminalising and legally protecting the official conspiracy 'Holocaust-Shoah' narrative that served the racist Zionist State of Israel so well against its battle with the original first people, the Palestinians.
- **13.** Sadly, my 'Holocaust-Shoah' research conclusion remains unaltered since my first visit to Auschwitz in April 1997, i.e. that technically the official 'Holocaust-Shoah' narrative has become a legal fiction and I refuse to remain silent on this matter because as an Australian of German ethnic origin it is hurtful to be confronted by such continuous barrage of lies.
- **14.** Now that the New South Wales public school system has been forced its bureaucrats and politicians let themselves be forced by Jewish-Zionist interests to make 'Holocaust Studies' a compulsory subject, I find it outrageous that young Year Nine and Ten students' minds are forced to be

- exposed to a horrendous and gruesome Jewish propaganda story that is not true: Germans did not systematically exterminate European Jewry in homicidal gas chambers.
- **15.** Why should this myth be legally protected and why, in most so-called 'free and democratic western nations' is an open enquiry into the actual physical details of the murder weapon not permitted?
- **16.** Of course, this 'Hoax of the Twentieth Century' is now fading slowly into oblivion, but the new Jewish-Zionist racist supremacist narrative has already had ten years of legal construction, namely, the 9/11 narrative, i.e. that a bunch of Arabic-speaking individuals perpetrated a 'terrorist attack' on the USA.
- 17. As with matters 'Holocaust-Shoah' this 9/11 Hoax of the Twenty-first Century cannot stand having its official conspiracy narrative subjected to forensic analysis. In both instances the natural laws of nature need to be suspended in order for the 'official conspiracy narrative' to stand up to logical and empirical analysis.
- **18.** The latest intellectual fraud is the Global Warming carbon tax scam. Any scientist knows that scientific investigation never produces absolute results, something philosopher and quantum physicist Werner Heisenberg taught us when in 1927 he formulated his indeterminacy/uncertainty principle.
- **19.** I conclude with a thought from Iran where it is generally held that humans are fallible-imperfect, only God is absolute-perfect, which makes the idea itself an absolute. In western democracies it is permissible to deny the existence of God but not to deny the existence of, for example, matters Holocaust homicidal gas chambers at Auschwitz.
- **20.** Also, today, on Holocaust Memorial Day, it became a world news item that Italian politician Berlusconi stated that besides the bad laws enacted against Jews during World War Two Mussolini was not a bad man! Is it not time to also welcome rational and balanced debate on matters Adolf Hitler and focus on why his memory is still with us? Perhaps it is instructive to revise our views thus: German racialism meant re-discovering the creative values of their own race, rediscovering their culture. It was a search for excellence, a noble ideal. National Socialist racialism was not against the other races, it was for its own race. It aimed at defending and improving its race, and wished that all other races did

the same for themselves. – Waffen SS General Leon Degrelle.

21. As I am almost reaching my three-score-and-ten years I find it shameful to see Australia join other so-called western nations in introducing the Jewish-Zionist 'Holocaust-Shoah' narrative, together with the '9/11' narrative as a tool into political debate that is not in Australia's self-interest but serves only the racist, Zionist state of Israel. Globally this furthers the political aim of 'Eretz Israel' much to the detriment of the Palestinians who have lived in the Middle East as the Felestin

people since before our A.D. calculations.

22. Permit me to close my deliberations with the following thought:

In the first half of the 19th Century, Honoré de Balzac,1799-1850, pointed out that there are two kinds of world history. One is official, falsified and designed to be taught in the schools, while the other is the real and secret history that accurately depicts world events.

Balzac's appraisal illuminates the fact there have always been powerful groups that direct politics from behind the scenes and make certain that the great majority are kept ignorant of their machinations.

When truth-seekers present evidence of deception and bring the true story to light, they are dismissed as 'conspiracy theorists' who are not to be taken seriously - and they are always persecuted in one way or another.

Submitted for your consideration.

Dr Fredrick Töben Adelaide toben@toben.biz

The following was sent to all Federal Australian Parliamentarians-lawmakers:

Memo from Dr Fredrick Töben - Adelaide - toben@toben.biz

Re: A MATTER OF VALUES

Truth-telling is a moral virtue, not an Antisemitic Act!

Remember – on 5 February 2013 at 15.10 hours at its first Commonwealth Parliamentary Question Time The Hon Julie Bishop, reinforced by The Hon Christopher Pyne, directed a question at the new Attorney-General, The Hon Mark Dreyfus, about the illegality of West Bank settlements but the Speaker dis-allowed the question! No wonder Israel has just arrested Palestinian West Bank Parliamentarians

6 February 2013

Dear

On 4 February 2013 ABC TV's **4 Corners** program featured an in-depth investigative story about US bike-riding champion Lance Armstrong's decade-long lying about his drug-taking and race-fixing activities. Then, a day later, Europol announces that a corruption investigation is under way about extensive European football match fixing.

From personal experience I am quite familiar with a similar pattern of conspiratorial deception, lying and legal bullying; in my case, it is for the sake of suppressing the truth about an historical event. For twenty years now I have investigated the alleged truth content of statements made about the historical event known as 'Holocaust-Shoah'.

Since 1996 I have been legally persecuted under the Racial Discrimination Act, especially under that notorious section 18.c where a Complainant's 'hurt feeling' is enough to prove and action and find a Respondent guilty of an offence.

My submissions to the Parliamentary Enquiry into the Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012 details this legal persecution. My submission is numbered 560 and it has been declared **Confidential**.

I now release my two submissions for your consideration.

Yours sincerely

Fredrick Töben, DPhil, MACE.

Adelaide

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A day after the PM announced the election date at the same venue, on 31 January 2013 Opposition Leader Tony Abbott addresses the National Press Club, Canberra.